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LOUISIANA WILD LIFE AND FISHERIES COMMISSION

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P R O C E E D I N G S

BOARD MEETING

Tuesday, November 28, 1972

10:00 o'clock a.m.

H. Clay Wright,
Presiding.

Wild Life & Fisheries Bldg.
400 Royal Street
New Orleans, Louisiana



Helen R. Dietrich, inc.
Stenotypists

333 ST. CHARLES AVENUE, SUITE 1221
NEW ORLEANS, LOUISIANA 70130 • (504) 524-4787

P R O C E E D I N G S

. . . The Board Meeting of the Louisiana Wild Life and Fisheries Commission convened at 10:00 o'clock a.m. on Tuesday, November 28, 1972, at the Wild Life and Fisheries Building, 400 Royal Street, New Orleans, Louisiana, H. Clay Wright, Vice-Chairman, presiding. . . .

PRESENT WERE:

H. C. WRIGHT, Vice-Chairman

J. BURTON ANGELLE, Director

L. J. AUTIN

D. G. BERRY

J. THOMPSON

C. LUTTRELL

A G E N D A

1. Approval of minutes of September 15, September 26 and October 17, 1972. (5)

RICHARD K. YANCEY

2. Balance due Ducks Unlimited - \$32,183. (5)

ALLAN ENSMINGER

3. Ratify acceptance of dredging work on Marsh Island impoundment by J. Ray McDermott, Inc. (7)



HARRY SCHAFFER

4. Repair gate at Bayou Lamoque. (9)
5. Contract to do some coring for new structure
at Bayou Lamoque. (12)
6. Close oyster area in Plaquemines Parish. (14)
7. Open Lake Pontchartrain for oyster harvest. (20)

LYLE ST. AMANT

8. Request for permit to dredge fill material in
Prien Lake near the mouth of Henderson
Bayou, Calcasieu Parish, by Lynn H. Roy. (25)
9. Request for permit to remove 14,000 cubic
yards of fill material from Bayou Boeuf
in the vicinity of Amelia, Louisiana, by
Leroy Gray. (27)
10. Renewal of permit to remove fill material
from the Mississippi River in the vicin-
ity of Point Clair, at a point between
Levee Stations 1660 and 1700, or being
in the vicinity of River Mile 196-197 AHP
near Carville, Louisiana, adjacent to the
East Bank - Industrial Fill Materials. (28)
11. Request for permit to remove sand from North-
eastern Lake Pontchartrain by Jahncke (30)



Service, Inc.

12. Request for permit to pump sand and gravel (31)
from the Amite River by Leslie E. Allen,
Denham Springs.
13. Request for permit to remove approximately (32)
50,000 cubic yards of fill material from
the Atchafalaya River about one mile
above the Bridge and below the Berwick
Locks on the Main Stem, in St. Mary
Parish, Louisiana.
14. Request for permit to dredge approximately (33)
20,000 cubic yards of fill material
from Bayou Boeuf at Amelia, St. Mary
Parish, Louisiana from Mr. Anthony J.
Guarisco, Jr. of Morgan City, Louisiana.
- JOE HERRING
15. Request from Tensas Parish Police Jury to (37)
cancel second segment of doe season in
Tensas Parish.
16. Clarification on whether fox hunters will be
allowed to hunt fox on the Evangeline
Management Area after close of deer
season. (Not considered)



OTHER BUSINESS

17. Change December meeting to third Tuesday,

December 19, 1972.

(39)

Payment of Cowley appraisal, Loggy Bayou WMA.

(34)

Request for right-of-way, Point au Chien WMA.

(40)

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CHAIRMAN WRIGHT: The meeting will come to order. The first thing on the agenda is the approval of the minutes of September 15, September 26 and October 17, 1972. What is your pleasure, gentlemen?

MR. BERRY: I make a motion for approval.

MR. LUTTRELL: I second the motion.

THE CHAIRMAN: Motion made and seconded by Mr. Luttrell that we approve the minutes of September 15, September 26 and October 17. Any opposition? (No response) Hearing none, so ordered.

Mr. Yancey.

MR. YANCEY: Mr. Chairman and Members of the Commission, this first item on the agenda provides for allocating a sum of \$32,183 to Ducks Unlimited for the purpose of creating and maintaining waterfowl production areas in Canada. This



allocation is authorized by the Louisiana statute that provides that 25 cents out of each resident hunting license sold is to be used for waterfowl management purposes.

I think we are all aware of the fact that Ducks Unlimited is a private conservation organization that is run by a group of hard-nosed businessmen and professional wildlife managers who are devoted to the conservation of waterfowl, and this allocation would be used for the purpose primarily of creating waterfowl marshes in the prairie regions of Alberta, Saskatchewan and Manitoba. We customarily ask that Louisiana's allocation be used in that area because this is the heart of the duck breeding grounds and principally the area that produces ducks that winter here in Louisiana.

We would recommend that you all approve of this authorization. Earlier this year an advance payment on the sale of the '71-'72 hunting licenses was made in the amount of \$50,000, so this would mean that a total of \$82,183 was allocated to Ducks Unlimited this year for waterfowl management purposes in Canada.



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MR. THOMPSON: So move.

THE CHAIRMAN: Gentlemen, you have heard the recommendation of Mr. Yancey. It has been moved by Mr. Thompson.

MR. BERRY: Second.

THE CHAIRMAN: Seconded by Mr. Berry.
Is there any objection?

(No response)

Hearing none, so ordered.

Mr. Ensminger.

MR. ENSMINGER: Mr. Chairman, Gentlemen of the Commission, we have received notice from the Department of Public Works that J. Ray McDermott Company has completed work called for under Contract No. 6434 between our Commission and this Company for the restoration of our levee system on Marsh Island. This is a project that was sponsored and paid for by the Office of Emergency Preparedness as a result of the hurricane a year ago, and Public Works says that this work has been completed in accordance with the plans and specifications set forth.

I would like to recommend that we accept



this work.

MR. BERRY: So move.

MR. THOMPSON: Second.

THE CHAIRMAN: It has been moved by Mr. Berry, seconded by Mr. Thompson. Is there any discussion? Any opposition?

(No response)

Hearing none, so ordered.

(Text of the resolution
is here made a part of
the record.)

WHEREAS, we have received a written notice from the Department of Public Works Chief Engineer that work called for under Contract 6434 between the Louisiana Wild Life and Fisheries Commission and J. Ray McDermott Company, Incorporated has been completed and

WHEREAS, it is recommended that final acceptance of this work be officially accepted by the Louisiana Wild Life and Fisheries Commission,

NOW, THEREFORE BE IT RESOLVED



that the Louisiana Wild Life and Fisheries Commission does hereby accept the work called for under the contract and authorizes the Director to file acceptance with the Recorder of Mortgages in Iberia Parish.

THE CHAIRMAN: Mr. Harry Schafer.

MR. SCHAFFER: Mr. Chairman and Members of the Commission, the first item I have on the agenda is the repair of the Bayou Lamoque structure gate.

The Department of Public Works has notified us that one of the gates in our freshwater introduction structure at Bayou Lamoque needs repair and they have requested that we get the Rodney Hunt Company, the company who builds these gates, to come down and repair it. They have a bid from this company of \$2,690 and they recommend that we accept this bid and have it repaired.

THE CHAIRMAN: Gentlemen, you have heard the recommendation.

MR. BERRY: So move.

MR. THOMPSON: Second.



THE CHAIRMAN: It has been moved by Mr. Berry, seconded by Mr. Thompson. Is there any objection?

(No response)

There being none, so ordered.

(Text of the resolution
is here made a part of
the record.)

WHEREAS, the existing Bayou Lamoque Freshwater Structure was constructed in September, 1956 and has been in continuous operation with the exception of two separate occasions when it was out of service for repairs, and

WHEREAS, the Louisiana Department of Public Works has assisted the Louisiana Wild Life and Fisheries Commission from the time it was constructed by directing the operation and minor maintenance of the structure, but the jurisdiction and responsibility for major repairs belongs to the Louisiana Wild Life and Fisheries Commission, and



WHEREAS, the Louisiana Department of Public Works has formally notified the Louisiana Wild Life and Fisheries Commission in a letter, dated October 30, 1972, to the Director, J. Burton Angelle, that the gate operating mechanism for the four (4) vertical lift gates has deteriorated through the years and is now in dire need of major overhaul,

NOW, THEREFORE BE IT RESOLVED that the Louisiana Wild Life and Fisheries Commission does hereby request and approve for the Louisiana Department of Public Works to proceed with the major repairs of the gate operating mechanism for the four (4) vertical lift gates. It is understood that this project will cost approximately \$2,690 and the original manufacturer of the gates, Rodney Hunt Company, will have personnel working jointly with the Louisiana Department of Public Works' personnel on these repairs.



BE IT FURTHER RESOLVED that the Louisiana Wild Life and Fisheries Commission does hereby empower and authorize the Director to sign any and all documents in connection therewith.

MR. SCHAFER: Mr. Chairman, the Legislature in 1972 passed Act 559, which authorized the construction of an additional structure at Bayou Lamoque to introduce fresh water into the oyster seed grounds in that area. The salinity has been going down continuously because of manmade structures, the ship channel, levee system, and our oyster beds in that area are continually going down and need more fresh water.

This Act provides that the Wild Life and Fisheries, the Oyster Division, use some of its dedicated funds, \$625,000, and \$375,000 from Plaquemines Parish to build a structure that is approximately a million dollars. The Public Works is in the process of drawing plans for this structure and they now need some corings in order to continue the drawing, to see what kind of structure this land will hold. They have a bid from Eustis



Engineering Company for \$5,950 and they recommend that we accept this bid. The coring money will come out of the Act money, the \$625,000, as part of the contract. I recommend that we accept it.

MR. AUTIN: So move.

MR. LUTTRELL: Second.

THE CHAIRMAN: It has been moved by Mr. Autin, seconded by Mr. Luttrell. Any opposition?

(No response)

There being none, so ordered.

(Text of the resolution
is here made a part of
the record.)

WHEREAS, in accordance with
the 1972 Louisiana Legislative House
Bill 656, the Louisiana Wild Life and
Fisheries Commission is authorized and
directed to construct a freshwater
diversion structure, and

WHEREAS, before the Department
of Public Works' engineers can proceed
with the necessary structural design,
borings for subsoil investigations will



have to be made at the site by a private soils engineering concern,

NOW, THEREFORE BE IT RESOLVED that the Louisiana Wild Life and Fisheries Commission does hereby approve and request the Louisiana Department of Public Works to issue a contract to the firm recommended for these soil borings, Eustis Engineering Company of Metairie, Louisiana, with the estimated cost of the contract being \$5,950. The Louisiana Department of Public Works has stated that the Eustis Engineering Company is a reputable concern and the proposal for performance of these professional engineering services is in order.

THEREFORE, BE IT FURTHER RESOLVED that the Louisiana Wild Life and Fisheries Commission does hereby authorize and empower the Director to sign any and all documents in connection therewith.

MR. SCHAFER: Mr. Chairman, the next item is again in the same area. It is the intro-



duction of fresh water into this same area. Plaquemines Parish built their own fresh water introduction structures in this area, two small ones that they operate annually, and since the Mississippi River water that is introduced into these oyster grounds is polluted, the Health Department requires that these areas that are affected by this fresh water be closed during the time and two weeks after the gates are closed.

The Plaquemines Parish Council at their last meeting requested a permit to open these gates and have us close this area for the harvest of oysters. It is the Parish's responsibility to put up signs, patrol the area. They have notified all the oyster lessees in the area that it would be closed and they will maintain enforcement of this. The Health Department, after they are closed, will check the area out and declare it safe for harvest at that time.

This is done annually and I would recommend that we do it at this time.

MR. THOMPSON: I so move.

MR. LUTTRELL: Second.



THE CHAIRMAN: It has been moved by Mr. Thompson, seconded by Mr. Luttrell. Is there any opposition?

(No response)

There being none, so ordered.

(Text of the resolution
is here made a part of
the record.)

WHEREAS, salt water intrusion in marshes that are oyster seed, waterfowl and furbearer producing areas has resulted in increased snail predation with a reduced seed oyster production and decreased usage by other wildlife resources, and

WHEREAS, the Plaquemines Parish Commission Council has obligated itself to do the following:

1. to mark the affected areas to be closed with signs at least 24 square inches reading "No Oyster Fishing Until Notified. Area West Closed. Boat-Air Patrol.



Syphons Running."

2. to obtain the consent for closure of the area from the affected oyster bottom lessees.
3. to maintain a boat and helicopter patrol to enforce the prohibition of no oyster fishing until the areas are clear as determined by the State Board of Health, and

WHEREAS, the Commission has received a request from the Plaquemines Parish Commission Council, dated November 22, 1972, to begin operating the Parish Fresh Water Syphons at Lower Pointe a la Hache, Bohemia Spillway and at White Ditch, Belair, Louisiana, east of the Mississippi River in Plaquemines Parish, beginning December 1, 1972, and

WHEREAS, the State Board of Health will be requested to perform the necessary sampling after cessation of discharge to determine that these areas



are clear for reopening, approximately fourteen(14) to twenty (20) days later,

NOW, THEREFORE BE IT RESOLVED that the Louisiana Wild Life and Fisheries Commission at its regular monthly meeting, held on Tuesday, November 28, 1972, does hereby temporarily close the oyster fishing areas described as follows:

All of the area east of the river, beginning at the intersection of the Mississippi River and the line dividing Lots 7 and 8 of Township 18 South, Range 16 East; thence extending from the said river to the forty arpent line along the dividing line of Lots 7 and 8; thence due north to the north shoreline of Long Bay; thence in a northwesterly direction along the north shoreline of Long Bay, including all of Long Bay and continuing on a line which divides Long Bay and American Bay from Bay Crabe to the southerly edge of Triple Pass; thence continuing along the east and northeast



and north side of American Bay and along the north side of Battle Ground Bay to the North side of Big Four Bayou; thence along the north side of Big Four Bayou to the north side of Third Bay to middle of Second Bay which is 89° 46' Longitude West; thence due South to the Mississippi River; thence downriver along the Mississippi River to the point of beginning; also, east of USC & GS Station "Cox"; thence east to Sunrise Point; thence south to Bayou Lamoque, proceeding along Bayou Lamoque to the river, all as shown on plat of the Louisiana Wild Life and Fisheries Commission prepared by its Oyster Division, dated April 16, 1970, and copy of which is on file with said Commission and in the office of the Secretary of the Plaquemines Parish Commission Council. Said fresh water syphons are being opened during higher river stages for the purpose of introducing fresh water into this oyster



growing area until such time as the State Board of Health approves reopening these areas for oyster fishing, such action being contingent upon the Plaquemines Parish Commission Council meeting its responsibilities as included above in this resolution.

BE IT FURTHER RESOLVED that copies of this resolution be referred to the Plaquemines Parish Commission Council, the State Board of Health and the Louisiana Oyster Dealers and Growers Association.

MR. SCHAFER: Mr. Chairman, the next item is the possibility of opening Lake Pontchartrain for oyster harvest. We have found in the eastern part of Lake Pontchartrain a good crop of oysters. They are in good condition, single oysters, and are firm. The only thing is that the water that they are in contains a bacterial count higher than the Health Department will allow these oysters to be harvested and put on the market.

The only way they could be harvested is



to be moved to private beds or to other clean waters and left there for two weeks and then they can be harvested after that time. Usually under these conditions the Health Department issues a permit to the oystermen to move the oysters and they have to have a man aboard the boat at all times when he takes the oysters, when he brings them to his lease and when he drops them. They only have two people in order to do this, so we have worked out some regulations with some of their field people and they feel that they could go along with these regulations if we open this area.

After this Commission passes on it, it will have to go to the Health Department and their director will have to approve the final things that are passed, to see that everything is under control.

Some of the things that we would recommend, if it is opened, that it be opened to people who have their dredging license, their tonnage license, that they have a lease in an acceptable area to put these oysters, that they post a \$1,000 performance bond or cashier's check, that their



permit be checked and validated out on the area, that the oysters that they take, the amount they take, be checked when they leave the area and also when they get to the area they are to be replanted on. It would be open for a period of about two weeks or until the oysters are gone. There would be dredging only during daylight hours and we would not allow any culling or sacking in the area, to make sure that these oysters get to the leases and clean waters.

I would recommend that you empower the Director to open this area when we get all the details worked out with our personnel and with the Health Department personnel.

MR. BERRY: What date do you plan to open on?

MR. SCHAFER: It looks like the closest date we can get is somewhere around the eighth of January.

MR. BERRY: I so move it, Mr. Chairman.

MR. LUTTRELL: Second.

THE CHAIRMAN: It has been moved by Mr. Berry, seconded by Mr. Luttrell. Is there any



other discussion? Any opposition?

(No response)

There being none, so ordered.

(Text of the resolution
is here made a part of
the record.)

WHEREAS, the Louisiana Wild
Life and Fisheries Commission has received
many requests from the oyster fishermen
to open, on an experimental basis, the
eastern portion of Lake Pontchartrain
and Lake St. Catherine for the taking
of seed oysters, and

WHEREAS, the Louisiana Department
of Public Health has reported that the
waters of eastern Lake Pontchartrain and
Lake St. Catherine are polluted with
domestic wastes in concentrations exceed-
ing acceptable standards making the con-
sumption of oysters from these areas a
grave potential health hazard, and

WHEREAS, it is believed that
this potential health hazard can be



reduced by allowing the oyster fishermen to transfer some of these oysters from the polluted waters to their respective oyster leases to allow these oysters to depurate for a period of time until they are cleansed and safe for human consumption,

THEREFORE, BE IT RESOLVED that the Louisiana Wild Life and Fisheries Commission does hereby authorize and empower the Director, J. Burton Angelle, to open a special 10-day experimental seed oyster season in Lake St. Catherine and the eastern portion of Lake Pontchartrain. The Director shall also be empowered with the authority to close said season on a 24-hour notice, should an enforcement problem arise or should these areas become depleted.

BE IT FURTHER RESOLVED that all rules, regulations and requirements must be adhered to by the participating oyster fishermen as established in a permit which will be issued to the individuals.



THE CHAIRMAN: Do you want to take Dr. St. Amant's?

MR. SCHAFER: Yes. We have a request for a permit to dredge fill material from Prien Lake by Mr. Lynn Roy near the Henderson Bayou. This is material to fill his own property, which is adjacent to the Lake. He has been informed that he needs a permit and he has applied for a permit from the Corps of Engineers. He has also been informed that there is a royalty that he must pay on this fill material. This was checked out by our field biologists and they saw no reason why it should not be granted.

MR. LUTTRELL: Do we require the police jury of that parish, a letter of no objection be furnished along with this? We are requiring it in some other areas.

MR. SCHAFER: In this area, no, he does not say that he is requiring the police jury to do this.

MR. LUTTRELL: No, I am asking if the Commission requires a letter of no objection from the local governing authority, like we are doing



in the --

MR. SCHAFER: No, there was one area because it was a new precedent set in this area, the Amite River area, and at that time we required a letter of no objection from the policy jury. In this case, no. This has been done before.

MR. LUTTRELL: This is not a scenic river then?

MR. SCHAFER: No, this is Prien Lake, near Henderson Bayou, near the mouth of Henderson Bayou.

THE CHAIRMAN: Gentlemen, you have heard the recommendation. What is your pleasure?

MR. AUTIN: I move approval.

MR. THOMPSON: Second.

THE CHAIRMAN: Moved by Mr. Autin, seconded by Mr. Thompson. Any opposition?

(No response)

There being none, so ordered.

(Text of the resolution
is here made a part of
the record.)

BE IT RESOLVED that the



Louisiana Wild Life and Fisheries Commission does hereby grant permission to Lynn H. Roy to dredge fill material in Prien Lake near the mouth of Henderson Bayou in Calcasieu Parish, Louisiana.

MR. SCHAFER: Mr. Chairman, we have a request from Mr. Leroy Gray for 14,000 cubic yards of fill material from Bayou Boeuf in the vicinity of Amelia, Louisiana, and this is to go on his property, which is adjacent to the Bayou. He has been informed that he must pay a royalty and the Corps of Engineers permit must be gotten. It meets all the requirements for the Commission and I would recommend that it be granted.

MR. THOMPSON: So move.

MR. BERRY: Second.

THE CHAIRMAN: It has been moved by Mr. Thompson, seconded by Mr. Berry. Any objection?

(No response)

There being none, so ordered.

(Text of the resolution
is here made a part of



the record.)

BE IT RESOLVED that the Louisiana Wild Life and Fisheries Commission does hereby grant permission to Leroy Gray to dredge approximately 14,000 cubic yards of fill material from Bayou Boeuf in the vicinity of Amelia, St. Mary Parish, Louisiana.

MR. SCHAFER: Mr. Chairman, the next item is a request from the Industrial Fill Materials, requesting a renewal of a five-year permit for fill material from the Mississippi River near Miles 196 to 197 near Carville, Louisiana. This request meets all the requirements of the Commission and I would recommend that it be granted.

THE CHAIRMAN: You have heard the recommendation.

MR. AUTIN: So move.

MR. LUTTRELL: Second.

MR. ANGELLE: May I ask Mr. Schafer a question? Mr. Schafer, yesterday I brought up the question, why a five-year renewal. This was in the



original contract, the five years?

MR. SCHAFER: Five years.

MR. ANGELLE: What is the rationale behind a five-year permit? Why not a one-year permit, renewable every year?

MR. SCHAFER: I can't answer that, Mr. Angelle. Lyle usually handles this and I am just handling it for him, and his request is for a five-year renewal.

THE CHAIRMAN: Are you satisfied, Mr. Director, on the five years?

MR. ANGELLE: On the five years?

THE CHAIRMAN: They set up their business, I think, on a five-year term.

MR. ANGELLE: There is no bidding in this. It is strictly a severance tax?

MR. SCHAFER: It is a set amount, by law, and he has to pay that.

THE CHAIRMAN: It has been moved by Mr. Autin, seconded by Mr. Luttrell. Any other opposition?

(No response)

There being none, so ordered.



(Text of the resolution
is here made a part of
the record.)

BE IT RESOLVED that the
Louisiana Wild Life and Fisheries Com-
mission does hereby grant permission
to Industrial Fill Materials to renew
their permit to remove fill material
from the Mississippi River in the
vicinity of Point Clair, at a point
between levee stations 1660 and 1700,
or being in the vicinity of River
Mile 196-197 AHP near Carville, Louisiana,
adjacent to the East Bank.

MR. SCHAFER: The next item is a request
from Jahncke Service to remove sand from the north-
eastern part of Lake Pontchartrain. This request
by Jahncke is to remove sand in St. Tammany Parish.
It is two miles from the causeway bridge, two miles
from the shore, and about four miles out from the
Southern Railway bridge, and it is all in St.
Tammany Parish. They have checked this out and
all of the requirements of the Commission have



been met and we would recommend its approval.

THE CHAIRMAN: Gentlemen, you have heard the request. What is your pleasure?

MR. BERRY: So move.

MR. THOMPSON: Second.

THE CHAIRMAN: Moved by Mr. Berry, seconded by Mr. Thompson. Any opposition?

(No response)

There being none, so ordered.

(Text of the resolution
is here made a part of
the record.)

BE IT RESOLVED that the
Louisiana Wild Life and Fisheries Commission does hereby grant permission to Jahncke Service, Inc., to remove fill material from a designated area in northeastern Lake Pontchartrain, St. Tammany Parish, Louisiana.

MR. SCHAFER: We had a request by Mr. Leslie Allen to remove sand and gravel from the Amite River. As you know, the Amite River, part of the Amite River, is in the scenic river section.



This part that Mr. Allen wants to pump gravel and sand from is not. It is below the scenic river area. This was on the agenda last month and we had requested Mr. Allen to get a letter of no objection from the police jury and also appear before this body today. I don't know if Mr. Allen is in. He doesn't seem to be.

THE CHAIRMAN: I assume we will just pass it over then. Do you all want to take action on it, turn it down, or what?

MR. BERRY: Why don't we table it?

THE CHAIRMAN: All right, we will table it.

MR. SCHAFER: The next item is a request by Mr. Charles Cloutier of Morgan City to remove 50,000 cubic yards of fill material from the Atchafalaya River about one mile above the bridge and below the Berwick locks on the main stem, in St. Mary Parish. This request meets all the requirements of the Commission and I therefore recommend its approval.

MR. BERRY: So move.

MR. AUTIN: Second.



THE CHAIRMAN: It has been moved by Mr. Berry, seconded by Mr. Autin. Is there any objection?

(No response)

There being none, so ordered.

(Text of the resolution
is here made a part of
the record.)

BE IT RESOLVED that the
Louisiana Wild Life and Fisheries
Commission does hereby grant permis-
sion to Mr. Charles Cloutier to remove
approximately 50,000 cubic yards of
fill material from the Atchafalaya
River about one mile above the bridge
and below the Berwick Locks on the
main stem, in St. Mary Parish,
Louisiana.

MR. SCHAFER: We have a request from Mr. Anthony J. Guarisco of Morgan City for a permit to dredge approximately 20,000 cubic yards of fill material from Bayou Boeuf at Amelia. This request meets all the requirements of the Commission



and I therefore recommend its approval.

THE CHAIRMAN: You have heard the recommendation, gentlemen. What is your pleasure?

MR. BERRY: So move.

MR. LUTTRELL: Second.

THE CHAIRMAN: It has been moved by Mr. Berry, seconded by Mr. Luttrell. Any opposition?

(No response)

There being none, so ordered.

(Text of the resolution
is here made a part of
the record.)

BE IT RESOLVED that the
Louisiana Wild Life and Fisheries Commission does hereby grant permission to Anthony J. Guarisco, Jr. to remove approximately 20,000 cubic yards of fill material from Bayou Boeuf at Amelia, St. Mary Parish, Louisiana.

MR. SCHAFER: Thank you, Mr. Chairman.

THE CHAIRMAN: Mr. Joe Herring.

MR. HERRING: Thank you, Mr. Chairman.

The first item I have is Mr. Leslie A. Cowley,



who has sold land to Louisiana Wild Life and Fisheries Commission for the establishment of Loggy Bayou Wildlife Management Area, has had all the furnishings of the three buildings on this area appraised. Mr. Ed B. Trickett of Shreveport, who has a wholesale furnishing house, made this appraisal. There are more than 89 pieces of furniture and kitchen items and other materials in these buildings. The cost of the appraisal was \$50 and I recommend to the Commission that we pay the appraisal for this and receive the materials left in the buildings, as a donation to the Wild Life Commission.

THE CHAIRMAN: It doesn't cost us anything but the \$50? That is all?

MR. HERRING: Right.

MR. THOMPSON: So move.

MR. LUTTRELL: Second.

THE CHAIRMAN: It has been moved by Mr. Thompson, seconded by Mr. Luttrell, that we pay the appraisal. Any objection?

(No response)

Hearing none, so ordered.



(Text of the resolution
is here made a part of
the record.)

WHEREAS, the Louisiana Wild
Life and Fisheries Commission has pur-
chased land owned by Mr. Leslie A.
Cowley and

WHEREAS, this land has been
established as Loggy Bayou Wildlife
Management Area, and

WHEREAS, Mr. Leslie A. Cowley
agreed to contribute all furnishings in
the three buildings occupied on his land
and

WHEREAS, these furnishings
would be given to the Louisiana Wild
Life and Fisheries Commission providing
the Commission paid for the appraisal, and

WHEREAS, Mr. Ed B. Trickett,
Wholesale Furnishings, Shreveport,
Louisiana made the appraisal on more
than 89 pieces of furniture, kitchen
items and other materials being left



in the houses and given to the Louisiana Wild Life and Fisheries Commission,

NOW THEREFORE BE IT RESOLVED that the Louisiana Wild Life and Fisheries Commission pay the appraisal cost of \$50 for these items.

MR. HERRING: Thank you, Mr. Chairman. The next item, we have received a request from the Tensas Parish Police Jury to close all doe seasons in that parish for the second portion of the deer seasons. Several wards, more specifically 1, 2 and 3, are scheduled for five days of any sex season. That is the first five days of the second segment. The dates will be December 26-30, 1972.

Tensas Parish Police Jury originally requested this season, due to a heavy deer population, and they now say that the populations are low. Our personnel have not been there, checking the area, since the first part of the season, but we have had many crop damage complaints in there and also some summer killing of deer in this parish.



Tensas Parish is controlled more or less by clubs and they can say what they kill and what they can't and they can exercise this privilege. Also, as you recall, the Commission turned down a similar request from Franklin Parish, which joins Tensas Parish to the west there, so I would recommend that no action be taken.

MR. THOMPSON: I so move.

THE CHAIRMAN: I don't believe we vote on no action. We accept the recommendation and deny the request.

(Text of the resolution
is here made a part of
the record.)

WHEREAS, the Louisiana Wild
Life and Fisheries Commission has
received a request from the Tensas
Parish Police Jury to close all doe
seasons in that parish for the second
portion of the deer season and

WHEREAS, the Tensas Parish
originally requested a doe season due
to heavy deer populations, and



WHEREAS, they now say that
the populations are low, and

WHEREAS, Tensas Parish is
controlled by clubs and landowners
as far as deer seasons are concerned
and this parish does have veto power
for doe season, and

WHEREAS, a similar resolution
from the Franklin Parish Police Jury was
turned down by the Louisiana Wild Life
and Fisheries Commission,

NOW THEREFORE BE IT RESOLVED
it is recommended that no action be taken
on this request for the closure of all
doe seasons in Tensas Parish for the
second portion of the upcoming deer
season December 26-30, 1972.

MR. HERRING: Thank you, Mr. Chairman.

THE CHAIRMAN: Other business, change
of the December meeting to the third Tuesday,
which is December 19. The regular meeting date
would be the day after Christmas. Does that meet
with the approval of the Commission? We will meet



on Tuesday, December 19. We are moving it because Christmas, the 25th, is on a Monday and the fourth Tuesday is a holiday, too, so we would move it up for that reason.

Is there any other business to come before the Commission?

MR. LEGENDRE: My name is Norman Legendre from the Lafourche Parish Police Jury and I am also working with the Hurricane Protection Levee District in the Tenth Ward. I would like to request and make it in the minutes where this is an informal thing but I want to kind of nail it down at this meeting so that we can move ahead. I spoke to the Corps of Engineers with respect to a request from Mr. Allan Ensminger that we move the alignment of this hurricane protection to your eastern boundary line on the Point au Chien game management.

In detail, there are three pages involved in the right-of-way. That would be Page 17, 18 and 19, which I left a copy of with Mr. Allan Ensminger. The dimensions of these bar ditches and levees are as follows. On Page 19 it is 145



for the bar and 92 plus 93 or 185 for the levee. On Page 18, it is 150 for the bar, 101 and 102 for the levee, which is 203 for the levee. On Page 19, it is 182 for the bar, 122 and 114, which is 236, for the levee. Altogether it makes an acreage of 95.43 for the total right-of-way acres.

The problem here would be to move this line near the line of conformation where you would have some land between the right-of-way, if you do grant it as it is now, that would be of no use to you. It would be between the property owners of the 40 arpent line and your game management line.

I talked to the Corps of Engineers last Friday with the request of Mr. Allan Ensminger and they have agreed to move this line as long as there is no engineering problem, and we at this time don't see any. We would be asking for 95.43 acres of right-of-way to facilitate the Tenth Ward for hurricane protection tidal water levee control ditch but another great benefit is going to be derived from it, which is going to be the drainage, which is going to take place on the front part of the levee on the west side of Bayou



Lafourche.

I would like to begin working with Mr. Allan Ensminger and the Corps of Engineers and the ecology people so that we can get this thing moving.

THE CHAIRMAN: Gentlemen, you all have heard the request from Mr. Legendre.

MR. AUTIN: I don't quite understand the request.

THE CHAIRMAN: He wants a right-of-way.

MR. LEGENDRE: No, no. I want to get it worked up so that it could be acceptable to your Commission. In due time I want this because of the fact that we have a time problem. We have a funding that is going to take place on the third fiscal year, which is going to be March 31, 1973, and I need some of these right-of-ways to get this thing funded. Of course, this particular portion of it will not be funded immediately, but since right-of-ways are needed all along this, we propose to start at the lower end of Lafourche Parish which is Golden Meadows on both sides of the Bayou coming up, and this is going to be in certain phases, but I have to complete all of the right-of-



way by March 31, 1973, which is not very far from now, so I want to get the thing going so that I can finish in time to meet the requirements of the federal government so we can get this federal aid. I see no way in the world that this is going to hurt the Commission because it is going to be completely on the eastern boundary of the Point au Chien Wildlife Management.

MR. ANGELLE: Mr. Legendre, are we to furnish an environmental impact statement on that project, or the Corps of Engineers will?

MR. LEGENDRE: I don't think so. This --

MR. ANGELLE: You don't think so?

MR. LEGENDRE: It could be done. It should be done, let's say, but I find nothing that would hurt at this particular period because it would be at the 40 arpent line and the drainage on this thing would be the great factor that these people would inherit immediately.

MR. ANGELLE: Well, the environmental impact statement would prove this out then.

MR. LEGENDRE: I am sure it would. I am sure it would. This right here is a people thing.



It is not only for hurricane protection. It is also for drainage that we can provide and change the pumps into this system and provide the people of the Tenth Ward with something that they sorely need.

MR. ANGELLE: In the project it doesn't necessarily state that an environmental impact statement has to be furnished?

MR. LEGENDRE: No, sir.

MR. ANGELLE: You think so or you know so?

MR. LEGENDRE: I know so. It does not need to be done but I wouldn't go along against anything because this is the trend today and I believe that we ought to have some kind of knowledge as to what it is going to do and what it won't do. I don't want to hurt the Commission in no kind of way. I like what your job is and what you are doing and you can appreciate my job.

MR. ANGELLE: I am not talking only about the Commission property but I am talking about the whole area involved.

MR. LENGENDRE: Right, right. Well, in



most cases there already is a canal and a levee but it is not an adequate canal. It is not a continuous thing and, of course, this indeed would be. People at the lower end of Lafourche Parish do indeed want this and they have asked for it and they have signed for it and this is what I am asking.

MR. ANGELLE: Mr. Chairman, the way I understand the request, it is that he merely wants to go to work with our personnel, --

MR. LENGENDRE: Right.

MR. ANGELLE: -- toward an ultimate end of a canal. I would have no objection certainly to your working with our people in any matter that is of interest to people in your parish, but let me caution you in this manner, if I may. I think I remember that you came to us once before with a project and we got in a push because of the essence of time and it was made to look that we were possibly the hound dog in the situation because we didn't approve it. May I caution you at this time, don't come to us at the last minute and ask us for anything without us having the proper time to



investigate and make our decision and then make us out the tail end of the outfit, because personally I wouldn't vote for it under these circumstances.

MR. LEGENDRE: Right.

MR. ANGELLE: So if you are going to do something, what I am saying, you do it now. In fact, I think at yesterday's meeting it was suggested that we possibly, the Commission itself, have an on-the-site inspection certainly no later than our next meeting, because of your essence of time.

MR. LEGENDRE: Right, and this is why I would like to get it started early and not wait for another meeting, because this only came to me because I have new dimensions on this map. I have known about the alignment but I have never known about the new dimensions of it and, of course, I couldn't come to you and present anything intelligently unless I knew the dimensions of it. I do have that information now and they only gave me a few days. I believe I met with the Commission and Mr. Allan Ensminger last week and last Friday I started working with the dimensions that he could



see would be pertinent to this project, and I want to start it now. I don't want to railroad you into this thing. This is why I want to get it done today so I could start it going.

MR. ANGELLE: Well, let me caution you even further. From my conversation and the conversation with our people, it is not entirely a guarantee that we will go along with this right-of-way because it seems to us that the people who are going to benefit from the canal lay adjacent to our property but yet they don't particularly want to give their property but they want to take ours. I am not positive that I personally would go along with this, so I would like to instruct our people now to investigate to the fullest whether it can be taken, whether this is one of those deals where it has to be taken from our property or whether it can come from the people who will definitely benefit from it.

MR. LEGENDRE: Let me clear this part out. This was done by Bernard & Burke and, of course, this project has to be approved so far as land is concerned and what kind of land you had



underneath the surface of it. The alignment was made by Bernard & Burke and, of course, they had no knowledge as to who owned the land. This was not their primary interest. Their primary interest was as to where was the best place to put this canal to provide this protection and this drainage to the people of the lower Tenth Ward.

It is for this reason the Corps of Engineers has agreed to move the line near the 40 arpent line. Now if you want to move it into the people that have the little strips of land, you are telling me that it is going to be impossible to do it by March 31, and I don't want to work on an impossibility. I want to work with something that I don't believe will hurt you. On the contrary, you are going to gain a real nice levee out of this thing and I can't see really how it is going to hurt you.

MR. ANGELLE: By the same token we don't want to be hurt either and we don't want to come in here and do something without knowing what the repercussions are, you see. You come to us on the spur of the moment deal and expect us to make



a decision on the spur of the moment. That is the reason we requested of you yesterday to go ahead and make these studies.

MR. LEGENDRE: This is all I am asking for today.

MR. BERRY: We might look at it in this light, that should we be required to give up 95 acres, because they might want to purchase that acreage from us and we could buy more acreage somewhere else to put back in there.

MR. ANGELLE: Fine idea, fine idea.

MR. BERRY: It is 80 percent federal funds and 20 percent local funds, and we might want to look at it along those lines.

MR. LEGENDRE: I didn't understand you.

MR. BERRY: We want to sell it to you.

MR. LEGENDRE: I am sorry but we are not buying.

MR. BERRY: If you are going to take 95 acres of public land and you have got 80 percent federal funds, why can't you buy that 95 acres and we will take that money and put some more land back to the public.



MR. LEGENDRE: Well, I can agree with your trying to make money for the Commission but at the same time I can agree just right --

MR. BERRY: No, we're not trying to make money. We are just trying to swap.

THE CHAIRMAN: We are trying to save what we've got.

MR. LEGENDRE: Well, I can understand that, but at the same time, in some places it does not pass at all on your land, not at all.

MR. BERRY: We just want to get paid where you pass on our land.

MR. LEGENDRE: The thing is this, we are not buying any lands at all, at no time, from nobody, and up to now we have about 40 percent of this project already signed and some of it being signed, and of course, I would like to have the knowledge that you would contribute your share like LL&E would, LaTerre would, or Lafourche Land Company, or just any of the larger landowners. Of course, if you are going to stick us with a payment on this thing, it will show the little people that are granting this thing, and there are



some people that have land back of the 40 arpent canal that are giving it, and I think that this would not indeed hurt you or cripple you in such a way that you would need these monies to buy land. This is a project to save the people, the property in that locality, and I would like to continue it.

MR. BERRY: We are trying to acquire more land all the time for the public's use and if we let everybody come along and nip us for 95 or 100 acres here and yonder, pretty soon we won't have any land left at all. I think it is our duty as commissioners to protect the public's interest and to maintain our land. I am not trying to be hard about it or unfair about it. I am just taking a position.

MR. LEGENDRE: Well, this is in the public interest because the people in the Tenth Ward in Lfourche Parish will inherit from it. This is the people and the public interest.

MR. BERRY: It is in the interest of a few, not the interest of the whole state.

MR. LEGENDRE: I didn't understand.

MR. BERRY: That is for the interest of



a few people, not for the people of the whole state, though, and everybody in the state owns this property.

MR. LEGENDRE: That's right and I don't think that you would lose this property. On the contrary, I think you would gain some property, because in a lot of cases you would have the whole levee and no canal. You would be picking up levees from the people in the front of the 40 arpent line of conformation and you would be inheriting the whole levee and there is no squawk there. I can't give these people back their land because this is the alignment that the Corps of Engineers accepted.

Now to move this line I am going to try to do it and I am pretty sure I am going to do it but to get paid for it, that's something else. I can't see how we can ask the people down there to pay this because this would come from their taxes.

MR. BERRY: Well, you are taking public lands and thinking of other taxpayers in the state, and I don't see why they shouldn't pay 20 percent of it. You have got 80 percent federal matching funds. You aren't asking that much from the local



people. To reiterate what I said a minute ago, I think as commissioners we are obliged to maintain the lands for public use and we are trying to acquire more, not give away what we've got.

MR. LEGENDRE: Well, you are not giving it. You would be just assigning it to a levee. You would still have the land. This is a servitude. You wouldn't be getting rid of it. You have a fee ownership. We couldn't disturb that fee ownership. You would only give this in a servitude and, of course, you would continue having the land.

MR. BERRY: Well, we will certainly take it under advisement and look at it and study it when it comes up.

MR. LEGENDRE: Thank you very much.

THE CHAIRMAN: Let's take it under advisement.

MR. ANGELLE: I would like to ask one more question. I thought this was correct and I was just advised by Mr. Yancey that the federal law is that an environmental impact statement has to be provided by the Corps of Engineers prior to the approval of this project. Do you know at this



time if this has been done?

MR. LEGENDRE: I think that everything has been cleared, so far as that is concerned.

MR. ANGELLE: Well, a few minutes ago you told me it wasn't necessary.

MR. LEGENDRE: I didn't think it was necessary to have another one, because from what I understand everything has been approved.

MR. ANGELLE: Well, I mean, have you seen the environmental impact statement?

MR. LEGENDRE: No, sir. This is not my job. My job is right-of-way and, of course, land acquisition, you see, so I would imagine that you would have to contact Mr. Robert Guidry, who is the secretary of the board, or the president of the Board, which is Mr. Anthony Guilbeau. Of course, you had a man over here yesterday, Mr. Andrew Morton, which is from that section and, of course, you could ask him when he comes on in.

MR. ANGELLE: Allan, would you get in touch with the Corps and see if they have this?

MR. LEGENDRE: Thank you very much for your time.



THE CHAIRMAN: Is there any other business to come before the Commission? Do I hear a motion that we adjourn?

MR. ANGELLE: Before we adjourn, we have some Commission personnel here, assistant directors and chiefs. Any of them have any particular remarks they want to make? Chief Hogan. Mr. O'Neil. Bob LaFleur. Anybody else in the audience have any remarks they want to address to the Commission? Lester. Melvin. The two gentlemen in the back.

MR. BERRY: Move we adjourn.

THE CHAIRMAN: We will adjourn.

. . . Thereupon, at 11:00 o'clock
a.m., Tuesday, November 28, 1972,
the meeting was adjourned. . . .

